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09/873,275	06/05/2001	Kiyoko Hayashi	1907-0198P	6028

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EXAMINER

WOZNIAK, JAMES S

ART UNIT PAPER NUMBER

2655

DATE MAILED: 10/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/873,275

Applicant(s)

HAYASHI, KIYOKO

Examiner

James S. Wozniak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06/05/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☒ Claim(s) 4 and 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06/05/2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**Detailed Action**

***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference signs not mentioned in the description: Element 10, Figs. 2 and 13, and Element S107, Fig. 10. There were no draftsman's objections to the drawings.

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference signs in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Specification***

2. The abstract of the disclosure is objected to because: the language used on lines 6-7 is unclear; "stored each setting element of the specified character" should be deleted and on line 11, "arrived" should be changed to --arrives--. Correction is required. See MPEP § 608.01(b).

3. The disclosure is objected to because of the following informalities: "capable of transmits and receives" on page 4, lines 3-4 and page 5, lines 21-22 should be stated more clearly to read --transmitting and receiving--, --and-- should precede "transfers" on page 15, line 23, and "connected by" should be changed to --connected to-- on page 18, line 5. Appropriate corrections are required.

***Claim Objections***

4. **Claims 4 and 9** are objected to because of the following informalities: "capable of transmits and receives" should be stated more clearly to read --capable of transmitting and receiving--. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1, 2, 6, 7, and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent: 6,411,931 to Yamada in view of U.S. Patent: 5,278,943 to Gasper et al.

Yamada discloses an apparatus for the conversion of text to speech for use in an electronic mail system that transmits and receives data over a communications network (Col. 3-4, Lines 66-67, 1-4). The disclosed apparatus also features a means of storing character data in a storage unit (Col. 1, Lines 63-67), a method of text input via a keyboard (Col. 4, Lines 43-48), a display unit (Col. 4, Lines 55-59), means for vocal synthesis through an audio converter (Col. 4, Lines 32-34), and an output connected to a speaker for producing an audible sound (Col. 5, Lines 1-4). Yamada does not teach: a character voice setting represented by a text figure as recited in Claim 1, an inserting function for attaching character setting information as specified in Claim 6, nor a detailed character voice setting that allows for adjustments to voice quality as recited in Claims 2 and 7.

With respect to **Claim 1**, Gasper teaches a speech animation system that utilizes various speaker samples associated with identifying coefficients and parameters in order to synthesize inputted text in that particular speaker's voice (Col. 2, Lines 23-32). The inputted text is processed according to its associated character information that contains detailed speech data such as prosody and pitch (Col. 5, Lines 50-59). Particular character voices are stored according

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to speaker identity and given a code based on that identity (Col. 9, Lines 12-28). Furthermore the speech animation system is specifically noted for use in messaging applications (Col. 6-7, Lines 66-68, 1-3).

With respect to **Claims 6 and 11**, Gasper discloses a function that associates a particular speaker identity with a code (Col. 9, Lines 22-26) which is further utilized in synthesizing a speaker's voice to recite inputted text.

With respect to **Claims 2 and 7**, Gasper teaches a voice editor option for speaker files, used for synthesizing a speaker's voice. This option includes settings such as prosody rules, which can be used to synthesize intonation, emotion, and rhythm in a speaker's voice (Col. 4, Lines 41-46).

Yamada and Gasper are analogous art because they are from a similar field of endeavor in speech synthesis from a text source. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the speech animation system taught by Gasper with the text to speech apparatus as taught by Yamada to allow for additional user options in speech synthesis and provide for a more realistic and personalized synthesized voice, featuring various intonations and emotions inherent to natural speech. It would also be obvious to a person of ordinary skill in the art at the time of invention to include the base speech file name or identifier within the body of the e-mail, as it is a common practice in electronic mail composition and to share such files over the communication network specified in Yamada. Therefore, it would have been obvious to combine Gasper with Yamada for the benefit of obtaining a speech synthesis device for use in an electronic mail system with a wider variety of

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speech synthesis options and the ability to output a more realistic synthesized voice from a selectable group of speakers, to obtain the invention as specified in **Claims 1, 2, 6, 7 and 11**.

7. **Claims 3-5 and 8-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada in view of Gasper as applied to Claims 1, 2, 6, 7, and 11, and in further view of U.S. Patent: 6,574,598 to Nakatsuyama et al.

Yamada in view of Gasper, teaches the information as applied to Claims 1, 2, 6, and 7, but does not teach: separation of the character setting information from the mail text as recited in Claims 3, 5, 8, and 10, nor the ability to attach character setting information to the end or beginning of the mail text as recited in Claims 4 and 9.

With respect to **Claims 3, 5, 8, and 10**, Nakatsuyama teaches a text to voice synthesis apparatus for use in electronic mail transmission and reception applications which, in processing mail text, separates text data from language setting information contained within the text data and that further performs voice synthesis according to the processed language setting information (Col. 7, Lines 10-13).

Yamada, Gasper, and Nakatsuyama are analogous art because they are from a similar field of endeavor in text to speech synthesis. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the method of speech synthesis featuring the separation of text from setting information with the speech to text device for use in an electronic mail system capable of synthesizing various character voices as taught by Yamada in view of Gasper, to allow for a more organized means of processing speech information that reduces the amount of data to be processed. Therefore, it would have been obvious to combine

Nakatsuyama with Yamada in view of Gasper for the benefit of creating a more organized method of speech synthesis through the separation of setting information from text that is character voice adjustable, to obtain the invention as specified in Claims 3, 5, 8, and 10.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: U.S. Patent: 5,875,427 to Yamazaki, which teaches a method for voice synthesis from a text document that utilizes a text input device, a storing function, and voice tone data for synthesizing a specified voice and U.S. Patent: 6,289,085 to Miyashita et al, which discloses a electronic mail to voice synthesis system that utilizes voice feature data contained in the header of the text message, a plurality of voice identifiers unique to a network, and rhythm data in the synthesis process.

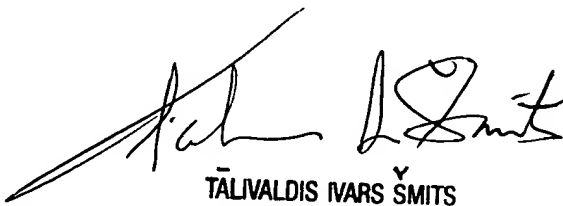
Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (703) 305-8669. The examiner can normally be reached on Mondays-Thursdays, 7:30-5:00, Friday, 7:30-4, Off Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on (703) 305-4827. The fax phone number for the Technology Center 2600, where this application is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology center receptionist whose telephone number is (703) 306-0377.

James S. Wozniak  
10/2/2003



TĀLIVALDIS IVARS ŠMITS  
PRIMARY EXAMINER